

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Douglas E. Arpert, USMJ  
v. : Mag. No. 20-6010  
JOSE RIOS :

ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Martha K. Nye, Assistant U.S. Attorney, appearing), and defendant Jose Rios (David Schafer, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter through November 30, 2023; the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his initial appearance pursuant to Title 18, United States Code, Section 3161(b); the defendant having consented to a twelfth continuance; and defendant having waived his right to a speedy trial, and for good cause shown:

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- (1) The defendant and his counsel have expressed a desire to review informal discovery materials provided by the United States;
  - (2) The defendant requests this action be continued due to ongoing and serious health complications which require his time and attention;
  - (3) The granting of a continuance will likely conserve judicial resources;
- and


(4) Pursuant to Title 18, United States Code, Sections 3161(h)(1)(A) and 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 4th day of October 2023,

ORDERED that this action be, and hereby is, continued through November 30, 2023, and it is further


ORDERED that the period from the date of this Order through November 30, 2023, shall be excludable in computing time under the Speedy Trial Act of 1974.

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.

  
HON. DOUGLAS E. ARPERT  
United States Magistrate Judge

Reviewed and agreed to by:

s/ Martha K. Nye  
Martha K. Nye  
Assistant U.S. Attorney

  
David Schafer, Esq.  
Counsel for Defendant Jose Rios